

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

BLUE HILLS OFFICE PARK LLC,)
Plaintiff/Defendant-in-Counterclaim)
v.) Civil Action No. 05-CV-10506 (WGY)
J.P. MORGAN CHASE BANK, as)
Trustee for the Registered Holders of)
Credit Suisse First Boston Mortgage)
Securities Corp., Commercial Mortgage)
Pass-Through Certificates, Series 1999-C1,)
Defendant)
and CSFB 1999 – C1 ROYALL STREET,)
LLC,)
Defendant/Plaintiff-in-Counterclaim)
and)
WILLIAM LANGELIER and GERALD)
FINEBERG,)
Defendants-in-Counterclaim)

)

AFFIDAVIT OF PETER B. McGLYNN, ESQUIRE

Peter B. McGlynn on oath deposes and says as follows:

1. I am lead trial counsel for the plaintiff Blue Hills Office Park LLC and the defendants-in-counterclaim William Langelier and Gerald Fineberg. I am making this affidavit based upon facts that are personally known by me.
2. In the Emergency Motion of Defendants/Plaintiffs-in-Counterclaim To Compel Deposition of General Fineberg (the “Emergency Motion”), the movants seek to depose Mr. Fineberg on Tuesday, March 28, 2006 at 9:30 a.m.

3. This affidavit is filed with Plaintiff and Defendants-in-Counterclaims Opposition To The Emergency Motion which seeks to have Mr. Fineberg's deposition scheduled for either April 4, 5 or 6, 2006. If the Court grants the Emergency Motion, this affidavit is to advise the Court that I have a previously scheduled doctor's appointment for 1:30 p.m. on February 28, 2006. This appointment was made approximately 1½ weeks ago and was not made for the purposes of interposing any delay in the taking of Mr. Fineberg's deposition. I had previously advised the movant's counsel that I was unavailable to attend a deposition on March 28, 2006. If the Court wishes to confirm my doctor's appointment, I will provide such information to the Court *in camera*.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 23RD DAY OF MARCH, 2006.

/s/ Peter B. McGlynn
Peter B. McGlynn

#334953 v1/14500/9985